

MITIGATED NEGATIVE DECLARATION

October 19, 2006

Project Name: Mingo

Project Number(s): TPM 20829, Log No. 04-02-016

**This Document is Considered Draft Until it is Adopted by the Appropriate
County of San Diego Decision-Making Body.**

This Negative Declaration is comprised of this form along with the Environmental Initial Study that includes the following:

- a. Initial Study Form
- b. Environmental Analysis Form and attached extended studies for noise, drainage and stormwater management

1. California Environmental Quality Act Negative Declaration Findings:

Find, that this Mitigated Negative Declaration reflects the decision-making body's independent judgment and analysis, and; that the decision-making body has reviewed and considered the information contained in this Mitigated Negative Declaration and the comments received during the public review period; and that revisions in the project plans or proposals made by or agreed to by the project applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and, on the basis of the whole record before the decision-making body (including this Mitigated Negative Declaration) that there is no substantial evidence that the project as revised will have a significant effect on the environment.

2. Required Mitigation Measures:

Refer to the attached Environmental Initial Study for the rationale for requiring the following measures:

A. TRANSPORTATION

1. The payment of the Transportation Impact Fee, which will be required at issuance of building permits, in combination with other components of this program, will mitigate potential cumulative traffic impacts to less than significant.

B. On the Final Parcel Map the applicant shall grant to the County of San Diego a Noise Protection Easement over the entire area of Parcels 1, 2, 3, 4, and the Remainder of Tentative Parcel Map 20829. This easement is for the mitigation of present and anticipated future excess noise levels from South Mission Road, Palomino Road, and Old Stage Road on residential uses of the affected lots. The easement shall require:

1. Prior to the issuance of any building permit for any residential use within the noise protection easement, the applicant shall:
 - a. Complete to the satisfaction of the Director of the Department of Planning and Land Use, an acoustical analysis performed by a County certified acoustical engineer, demonstrating that the present and anticipated future noise levels for the interior and exterior of the residential dwelling will not exceed the allowable sound level limit of the Noise Element of the San Diego County General Plan [exterior (60 dB CNEL), interior (45 dB CNEL)]. Future traffic noise level estimates for Mission Road must utilize a Level of Service "C" traffic flow for a 4-lane Major road and for Palomino Road must utilize a Level of Service "C" traffic flow for a 4-lane Light Collector. These are the designated General Plan Circulation Element buildout roadway classifications for these roads.
 - b. Incorporate to the satisfaction of the Director of the Department of Planning and Land Use all of the recommendations or mitigation measures of the acoustical analysis into the project design and building plans.

3. Critical Project Design Elements That Must Become Conditions of Approval:

The following project design elements were either proposed in the project application or the result of compliance with specific environmental laws and regulations and were essential in reaching the conclusions within the attached Environmental Initial Study. While the following are not technically mitigation

measures, their implementation must be assured to avoid potentially significant environmental effects.

- B. THE FOLLOWING CONDITIONS SHALL BE COMPLIED WITH BEFORE A PARCEL MAP IS APPROVED BY THE COUNTY OF SAN DIEGO, DEPARTMENT OF PUBLIC WORKS, AND FILED WITH THE COUNTY RECORDER OF SAN DIEGO COUNTY:
1. THE PARCEL MAP SHALL SHOW AN ACCURATE AND DETAILED VICINITY MAP.
 2. SIGHT DISTANCE [DPW]
 - a. Have a registered civil engineer, a registered traffic engineer, or a licensed surveyor provide a signed statement that: "Physically, there is a minimum adequate unobstructed sight distance in both directions along Palomino Road from the project's driveways, for the prevailing operating speed of traffic on Palomino Road, per Section 6.1.E of the County Public Road Standards (approved July 14, 1999)". If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify that said lines of sight fall within the existing right-of-way and a clear space easement is not required. These certifications shall be to the satisfaction of the Director of Public Works.
 3. AIRPORT
 - a. Prior to approval of Parcel Map, applicant shall grant an Avigational (Aviation) Easement over all parcels of the Tentative Parcel Map to the satisfaction of the Department of Public Works.
 4. ROAD DEDICATIONS [DPW]
 - a. Offer to dedicate the right-of-way required to complete a thirty foot (30') width along the project frontage in accordance with Public Road Standards for a Light Collector Road, one-half right-of-way width on the project side of the ultimate centerline of the existing Polomino Road (SA 50.3) [minimum centerline radius seven hundred feet (700')], plus the right to construct and maintain slopes and drainage improvements as required beyond the thirty foot (30') limit for

that portion within the land division, including a twenty foot (20') radius property line corner rounding at the street intersection. The Parcel Map shall be prepared to show the offer being rejected.

- b. Offer to dedicate the right-of-way required to complete a thirty foot (30') width along the project frontage in accordance with the Public Road Standards for Residential Collector Road, one-half right-of-way width on the project side of the centerline of the existing Old Stage Road, plus the right to construct and maintain slopes and drainage improvements as required beyond the thirty foot (30') limit for that portion within the land division, including a twenty foot (20') radius property line corner rounding at the street intersection. The Parcel Map shall be prepared to show the offer being accepted.
 - c. Any offer of dedication or grant of right-of-way shall be free of any burden or encumbrances which would interfere with the purposes for which the dedication or offer of dedication is required, per Section 81.705 (a) of the County Code, at the time of recordation of the Parcel Map.
 - d. The subdivider shall relinquish access rights onto Old Stage Road except for one (1) twenty-foot (20') wide driveway opening located at the northwesterly corner of the Designated Remainder Parcel.
5. SPECIAL DISTRICTS/ROAD MAINTENANCE/COVENANTS/DEVELOPMENT IMPACT FEES [DPW]
- a. The subdivider shall authorize special districts to process the project into the San Diego County Street Lighting District. After recordation of the Parcel Map, the land division shall be transferred, without notice or hearing, to Zone "A" of the San Diego County Street Lighting District to maintain existing street lights.
6. FACILITY/UTILITY ARRANGEMENTS [DPW] [DPLU]
- a. The subdivider shall comply with Section 66436 of the Government Code by furnishing to the County of San Diego, Department of Public Works, a certification from each public

utility and each public entity owning easements within the proposed land division stating that: (a) they have received from the subdivider a copy of the proposed Parcel Map; (b) they object or do not object to the filing of the Map without their signature. [DPW]

- b. Prior to recordation of the Parcel Map, approval of improvement and/or grading plans, issuance of excavation permits, and issuance of any further grant of approval, the owners of this project will be required to sign a statement that they are aware of the County of San Diego, Department of Public Works, Pavement Cut Policy and that they have contacted all adjacent property owners and solicited their participation in the extension of utilities.

- C. BECAUSE THEY HAVE BEEN FOUND NECESSARY FOR THE PUBLIC HEALTH AND SAFETY AND ARE A NECESSARY PREREQUISITE TO THE ORDERLY DEVELOPMENT OF THE AREA, THE FOLLOWING PUBLIC IMPROVEMENTS MUST BE COMPLETED, OR A SECURED AGREEMENT EXECUTED, PRIOR TO RECORDING A PARCEL MAP. THE AGREEMENT REQUIRES POSTING SECURITY IN FORM OF A CASH DEPOSIT, IRREVOCABLE LETTER OF CREDIT OR AN INSTRUMENT OF CREDIT VALUED AT, OR MORE THAN, THE ESTIMATED IMPROVEMENT COST. IT ALSO REQUIRES IMPROVEMENTS BE COMPLETED WITHIN TWENTY FOUR (24) MONTHS OF RECORDING THE PARCEL MAP, AND PRIOR TO GRANTING OF ANY APPROVAL OF DEVELOPMENT OF ANY PARCEL CREATED BY THIS MAP, EXCEPT BUILDING AND ASSOCIATED PERMITS CAN BE ISSUED REQUIRING COMPLETION OF PUBLIC IMPROVEMENTS PRIOR TO OCCUPANCY OF THE BUILDING.

1. PUBLIC ROAD IMPROVEMENTS [DPW]

- a. Palomino Road, along the project frontage, shall be improved in accordance with Public Road Standards for a Light Collector Road to a one-half graded width of thirty feet (30') with a minimum twenty-two feet (22') of asphalt concrete pavement over approved base and asphalt concrete dike, with face of dike at twenty-two feet (22') from centerline. Traffic striping and transition asphalt concrete taper shall match the existing asphalt concrete pavement, to the satisfaction of the Director of Public Works.

- b. Old Stage Road along a project frontage shall be improved in accordance with Public Road Standards for a Residential Collector Road to a one-half graded width of thirty feet (30') with twenty feet (20') of asphalt concrete pavement over approved base and Portland cement concrete curb, gutter and sidewalk, with face of curb at twenty feet (20') from centerline. Traffic striping and a transition asphalt concrete taper shall match the existing asphalt concrete pavement, to the satisfaction of the Director of Public Works.
- c. All new utility distribution facilities, including cable television lines, shall be placed underground. All utility installations shall be completed before surfacing the streets and installing concrete curbs, gutters and sidewalks. This is not intended to include undergrounding of existing overhead utilities.
- d. Portland cement concrete cross gutters shall be constructed where water crosses the roadways.
- e. The exact depth of improved base material shall be based on soil tests approved by the County of San Diego, Director of Public Works.
- f. The subdivider shall construct a public street lighting system to the satisfaction of the County of San Diego, Director of Public Works. Contact Lighting District Services (694 2198) for details.
- g. A Construction Permit shall be obtained for the work within the County right-of-way.
- h. Plans for public road improvements shall be prepared by a registered civil engineer and submitted to the County of San Diego, Director of Public Works. The following items shall also apply:
 - (1) Street alignment and grade, including the change of any existing or proposed street alignment and grade, shall be as required by the County of San Diego, Director of Public Works.

- (2) Sight distance at all intersections shall conform to the intersectional sight distance criteria as provided by the County of San Diego Public Road Standards.
- (3) Plans and specifications for the improvement of all streets, rights-of-way, drainage easements and all culverts, drainage channels and all private easements shall meet with the approval of the County of San Diego, Director of Public Works.
- i. The County Engineer will assign a road survey number to any off-site public roads being created. The subdivider shall show the centerline monumentation set, right-of-way lines and ties to adjacent property on the Parcel Map or file with the County Recorder a Record of Survey, after approval by the County Engineer.

D. OTHER REQUIREMENTS [DPW] [DPLU]

- 1. Comply with all applicable stormwater regulations at all times. The activities proposed under this application are subject to enforcement under permits from the San Diego Regional Water Quality Control Board (RWQCB) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance (Ordinance No. 9424 and Ordinance No. 9426) and all other applicable ordinances and standards. This includes requirements for materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas greater than 1 acre require that the property owner keep additional and updated information onsite concerning stormwater runoff. This requirement shall be to the satisfaction of the Director of Public Works.
- 2. A Major Stormwater Management Plan (SWMP) will be required for the Tentative Parcel Map when improvement plans are submitted to DPW.

ADOPTION STATEMENT: This Negative Declaration was adopted and above
California Environmental Quality Act findings made by the:

on _____

DEVON MUTO, Planning Manager
Regulatory Planning Division

DM:GK:jcr

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